W/100

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 4223 /2004

Petitioner : SMT. USHA KURRE
W/o Shri Ghanshyam Prasad Kurre
aged about 35 years,
Occupation - Govt. Service,
R/o Qtr. No. 2A, Street No. 37,
Sector - 9, Bhilai,
Distt. Durg (C.G.)

P.R. No. 4221 /04
Presented by Shri ... D.K. Bhatt
dated ...

VERSUS

Respondents :

1. State of Chhattisgarh
Through Secretary,
Tribal Development Department,
D.K.S. Bhawan, Raipur,
Distt. Raipur (C.G.)

2. Commissioner,
Tribal Development,
Raipur (C.G.)

3. Asstt. Commissioner,
Tribal Development,
Durg (C.G.)

4. Principal,
Govt. Model Higher
Secondary School, Daundi,
Distt. Durg (C.G.)

5. Shri Nand Kumar Dhruv,
Lecturer, Biology,
Boys Higher Secondary,
School, Charama,
Distt. Kanker (C.G.)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE APPROPRIATE WRIT, ORDER OR DIRECTION.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4223/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

8-12-2004

Shri Abhisek Sinha, Counsel for the petitioner.

Shri Sudhir Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He submits that he has been transferred from Daundi Distt. Durg to Charama, Distt. Kanker. He further submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He further submitted that the Assistant Tribal

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.4223/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Commissioner has also directed not to relieve the petitioner. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has also joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observation, this petition stands disposed of.

Consequently, M.W.P.No.4593/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Pathak/-

13.12 16.12 29.7.05